

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:10-CR-39-FL-1

UNITED STATES OF AMERICA,)

)

)

v.)

)

)

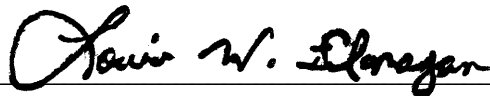
SHABAZZ ST. CLAIR.)

ORDER

This matter came before the court on January 27, 2015, for resentencing after remand by the United States Court of Appeals for the Fourth Circuit. Previously, this matter came before the court on January 10, 2014, where the court found that defendant had violated the terms and conditions of the judgment and ordered that the supervised release term be revoked, sentencing defendant to a term of imprisonment for a period of twenty-four (24) months. Upon appeal, defendant contended that the district court erred in failing to allow defendant to allocute or his counsel to present mitigating arguments before sentence was imposed. The appeals court affirmed the district court's decision revoking defendant's supervised release, but vacated the revocation sentence and remanded the matter for resentencing,

After allocution by defendant and mitigating arguments presented by defendant's counsel at the resentencing hearing, the court adopts its previous findings of fact, and defendant's sentence remains as previously imposed: imprisonment for a period of twenty-four (24) months.

SO ORDERED, this the 30th day of January, 2015.



LOUISE W. FLANAGAN
United States District Judge